IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MS JUSTICE G. ROHINI

WRIT PETITION NO : 15046 of 2005

DATED: 14.08.2007

Between:

Ch Seetharamanuja Charyulu petitioner

And

The Regional Joint Commissioner,
Multi zone-II ,
Endowments Department, Tirupathi & ors Respondents

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15046 of 2005

ORAL ORDER:

This writ petition is filed seeking a declaration that the action of the first respondent in entertaining revision petition No. 10 of 2005 at the instance of the 4th respondent herein under section 92 of the A.P Charitable and Hindu Religious Institutions and Endowments Act, 1987 was arbitrary and illegal.

Whereas, it is contended by the learned counsel for the writ petitioner that against the order dated 30.12.2002 passed by the first respondent in exercise of the powers conferred under Section 92 of the Act, no further revision is maintainable, the learned counsel for the 4th respondent vehemently contended that since the 4th respondent was not a party to the earlier proceedings, the order dated 30.12.2002 was not binding on him.

It is always open to the writ petitioner to raise the objection as to the maintainability of the proceedings before the first respondent and at this stage the interference by this Court, is unwarranted.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to contest the proceedings instituted by the 4th respondent by filing an appropriate counter raising all objections, available under law, including the objection as to the maintainability of the proceedings, in which event, the first respondent shall consider the same and after hearing both parties, pass appropriate orders following due process of law, as expeditiously as possible, preferably within a period of three months from the date of receipt of copy of this order.
No costs.

G.ROHINI, J

DATE: 14.8.2007
TVK

41

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